

1 Josh Sanford (Ark. Bar No. 2001037)
Sanford Law Firm, PLLC
2 Kirkpatrick Plaza
10800 Financial Centre Pkwy, Suite 510
3 Little Rock, Arkansas 72211
(501) 221-0088
4 josh@sanfordlawfirm.com

5 Attorney for Plaintiffs

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
8 PRESCOTT DIVISION

8 Tony Manzo, *et al.*

No. 3:22-cv-8081-PCT-JJT

9 Plaintiffs,

10 v.

**SECOND DECLARATION OF
NICOLE PLUDOWSKI**

11 Engrained Cabinetry and Countertops,
12 LLC, Inspired Closets of Arizona, LLC,
and Thomas Corkery,

13 Defendants.

14 I, Nicole Pludowski (f/k/a Cavasini-Pludowski), do hereby swear, affirm and
15 attest as follows, based upon my personal knowledge of the matters contained herein:

16 1. My name is Nicole Pludowski; I am over the age of 18 and duly qualified
17 to execute this declaration.

18 2. I worked for Defendants Inspired Closets of Arizona, LLC, and Thomas
19 Corkery as a designer/salesperson from approximately March 2021 until June 2022.

1 3. As a designer/ salesperson, I designed and sold closet and storage
2 solutions for Defendants' customers according to the customer and Defendants' needs
3 and specifications.

4 4. Specifically, I used a computer program to design custom storage
5 solutions for Defendants' customers.

6 5. I was paid an hourly wage for the first two weeks of my employment
7 while I was training on my job duties. Following those first two weeks, I received no
8 income whatsoever until I was able to earn commissions. After the two weeks of
9 training, my sole source of income was commissions on sales.

10 6. My design work for customers took more than 40 hours per week. To
11 run a design from start to finish, I had to physically take measurements of the space I
12 was designing for, interview the customer about their needs and budget, run price
13 points on all materials required, create the physical design, and create a quote for the
14 customer.

15 7. If the customer moved forward, I also supervised the installation process
16 and ensured everything was to customer satisfaction.

17 8. The amount of time this took obviously varied based on the size of the
18 job; some could take as little as 20 hours and some could take several months. I ran
19 about 20 jobs at a time.

20 9. Because my income was commission-based, the more sales I made the
21 more income I earned. I regularly worked after business hours in order to finish up
22

1 quotes and designs so that I could move projects forward. Defendants didn't ask me
2 not to work after-hours, nor did they require me to track my time.

3 10. I probably worked at least 50 hours per week solely on making designs
4 and quotes.

5 11. Defendants also required designers/salespeople to meet with each
6 customer in the showroom. This was in addition to the roughly 50 hours I worked in
7 making designs and quotes.

8 12. I hardly ever received my full commission. Defendants deducted
9 portions of my commission for any error I made in the design such as a
10 mismeasurement or an incorrect material. Defendant also withheld any pay at all from
11 a project if there was anything that was unable to be completed or if any other team
12 member made any mistakes.

13 **PURSUANT TO 28 U.S.C. § 1746, I VERIFY UNDER PENALTY OF**
14 **PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA**
THAT THE FOREGOING IS TRUE AND CORRECT.

15 Executed on this 25th day of October, 2023.

16 *Nicole Pludowski*
17 NICOLE PLUDOWSKI
18
19
20
21
22